



AP/ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Patent Office Board of Appeals

APPLICANT: Fred D. Oberhaus
SERIAL NO: 10/676,980
FILED: October 1, 2003
FOR: Componentry Assembled Free
Standing Wire Rack

GAU: 3637
EXAMINER: Purol, Sarah L.
St. Louis, Missouri
Date: May 21, 2010
DN: 7349

I hereby certify that this correspondence is being deposited with the
U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Attorney

Date of Signature

Director, Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REPLY BRIEF FOR APPLICANT

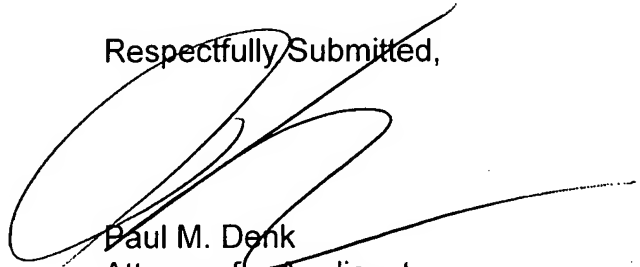
Paul M. Denk
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REMARKS

Applicant herein submits an Amendment B, after Final Rejection, and after Briefing on Appeal, in response to the Examiner's new grounds for rejection.

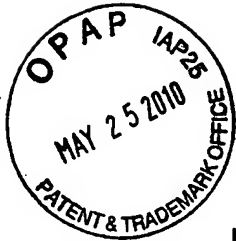
If the Examiner wishes to reopen prosecution, in light of the amendments made herein, she should feel free to do so.

Respectfully Submitted,

A large, stylized handwritten signature in black ink, appearing to read 'P. Denk', is written over the typed name and address.

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Honorable Commissioner for Patents
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**AMENDMENT B AFTER BRIEFING ON APPEAL AND IN RESPONSE TO
EXAMINER'S NEW GROUNDS OF REJECTION SET FORTH IN EXAMINER'S
ANSWER**

Sir:

This is in response to the examiner's new grounds for rejection dated May 11, 2010, in the appeal before the Board of Patent Appeals and Interferences, for the above identified application.

The examiner added a new grounds for rejection of claims 4 – 14 stating that the claimed invention is rejected under 35 U.S.C. § 102(b) as being anticipated by Jurasek, U.S. patent No. 3,680,712. This is essentially a repeat of the rejection set forth by the examiner in the initial rejection dated October 12, 2007.

Amendments to these claims begin on page 2.

Remarks to this amendment begin on page 4.